

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document has been entered electronically in the record of the United States Bankruptcy Court for the Northern District of Ohio.



Mary Ann Whipple  
United States Bankruptcy Judge

Dated: October 10 2018

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

In Re:	)	Case No. 17-33196
	)	
Sara J. Koppus,	)	Chapter 7
	)	
Debtor.	)	
	)	JUDGE MARY ANN WHIPPLE

**ORDER DENYING APPLICATION**

This case came before the court for hearing on the Chapter 7 Trustee's Application to Retain BK Global Real Estate Services and Claudia Myers of American Realty Partner Corp to Procure Consented Public Sale ("Application") [Doc. # 21], and the response filed by Secured Creditor Secured RMAC Trust, Series 2016-CTT, opposing the Application [Doc. # 22]. Secured Creditor's attorney appeared at the hearing by telephone. There was no appearance by, or on behalf of, the Chapter 7 Trustee.

The Trustee's Application seeks an order approving the retention of professionals to negotiate a sale process with Secured Creditor and market Debtor's real property located at 458 College Avenue, Fostoria, Ohio. In the Application, the Trustee states that Debtor has no equity in the property. At the hearing, Secured Creditor's counsel reiterated opposition to a 11 U.S.C. § 363(f) free and clear sale process. Absent consent, there is no other identified or apparent basis upon which to sell the subject property free and clear of Secured Creditor's interest. There is therefore no basis to hire professionals to negotiate a sale process

and market the property.

For the foregoing reasons and those stated at the hearing, good cause appearing,

**IT IS ORDERED** that the Chapter 7 Trustee's Application [Doc. #21] be, and hereby is, **DENIED**.

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